

REMARKS/ARGUMENTS

Claim 32, a method claim, is rejected under 35 U.S.C. 102(b) as being anticipated by George et al 3,930,933. Claims 35 and 37, dependent from claim 32, are also rejected under 35 U.S.C. 102(b) as being anticipated by George et al 3,930,933. The rejections pointed to the abstract, lines 7-15 of column 1 and claims 5 and 6.

The abstract does not disclose a method for making the material.

Lines 7-15 of column 1 is a description of U.S. Patent 3,554,862. That patent states that the chemical is added in the wet end of the machine before the sheet is dried. This description may be found in lines 57-67 of column 2 and lines 25-30 of column 3. The material which is added is a cationic long chain fatty alkyl compound having at least 12 carbon atoms in at least one of the alkyl chains. The specific compounds listed are quaternary compounds and primary, secondary and tertiary amine salts. A cationic long chain fatty alkyl compound is not an oil.

The George '933 patent discloses adding the cationic long chain fatty alkyl compounds of '862 and an oily material to a pulp slurry, forming a sheet and drying. These materials are added to a slurry and not to a wet laid pulp sheet.

Claims 5 and 6 require adding the materials to pulp before the sheet is dried.

The '933 patent states that the oil must be applied with the cationic long chain fatty alkyl compound in order to be effective. It states and demonstrates that oil alone is ineffective. These statements may be found at lines 32-38 of column 1 and lines 25-27 of column 2. The teaching of the '933 patent is that oil must be used with a cationic long chain fatty alkyl compound and cannot be used by itself.

It is respectfully requested that the rejections of claims 32, 35 and 37 under 35 U.S.C. 102(b) as being anticipated by George et al 3,930,933 be withdrawn.

Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over George et al 3,930,933 as applied above in view of Hervey et al, 3,554,863. Hervey et al is cited for wood cellulose fibers. The addition of Hervey et al does not cure the problems of the principle '933 reference noted above.

It is respectfully requested that the rejection of claim 38 under 35 U.S.C. 103(a) as being unpatentable over George et al 3,930,933 in view of Hervey et al 3,554,863 be withdrawn.

Claims 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over George et al 3,930,933 as applied above in view of Hervey et al, 3,554,863 as applied above, further in view of Lammie "Use of glycerine as a softener for paper products". Lammie is

cited for the use of glycerine. The purpose of using Lammie is stated to be the showing of the use of a triglyceride.

There are two problems with this rejection. The first is that glycerin is not a triglyceride. Glycerin has the formula CH₂OH-CHOH-CH₂OH. A triglyceride has the general formula CH₂OOCR-CHOOCR-CH₂OOCR. Pages 207 and 210 of Conant and Blatt "The chemistry of organic compounds" 3rd edition, 1947 are enclosed. Page 207 describes glycerin or glycerol, and page 210 describes triclycerides.

The second problem is that Lammie states in the penultimate paragraph of the second column on page 2052 that glycerine cannot be used as a wet end additive. George et al adds the cationic long chain fatty alkyl compound and oily material to the slurry and then forms the sheet and dries it. George et al is adding his material at the wet end. The wet end of a pulp machine is before the dryer. The Hervey et al '862 patent which George et al describes in column 1 also adds the cationic long chain fatty alkyl compound in the wet end before the drier.

There is no reason given in either George et al or in Lammie to combine Lammie with George et al. Lammie states that you cannot add glycerine where George et al add their materials. The combination still does not disclose a triglyceride.

It is respectfully requested that the rejection of claims 33 and 34 under 35 U.S.C. 103(a) as being unpatentable over George et al 3,930,933 in view of Hervey et al 3,554,863 further in view of Lammie be withdrawn.

Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over George et al 3,930,933 because George et al discloses mineral, vegetable or animal oils and this would be a suggestion to use other types of oils. Again, George et al discloses the use of oily materials with a cationic long chain fatty alkyl compound. George et al discloses and teaches that oil cannot be used by itself but only in combination with a cationic long chain fatty alkyl compound. George et al teaches that this combination of materials be added to a pulp slurry.

It is respectfully requested that the rejection of claim 38 under 35 U.S.C. 103(a) as being unpatentable over George et al 3,930,933 be withdrawn.

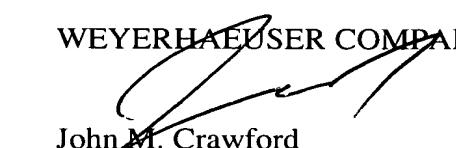
All of the rejections use George et al as a primary reference. As has been noted, George et al requires a combination of a cationic long chain fatty alkyl compound and an oily material. George et al teaches that oil alone does not work. George et al teaches that the combination be added to the slurry. George et al teaches away from the method being claimed in this application.

CONCLUSION

In summary, reconsideration and allowance of claims 32-38 is respectfully requested.

RESPECTFULLY SUBMITTED,

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